

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Patent Application No. 09/933,758

REMARKS

Reconsideration and allowance of the subject application are respectfully requested. By this Amendment, Applicant has canceled claim 2. Thus, claims 1 and 3-24 are now pending in the application. In response to the Office Action, Applicant respectfully submits that the pending claims define patentable subject matter.

Claims 1-6 are rejected under 35 U.S.C. § 102(e) as being anticipated by Daniels et al. (U.S. Patent No. 6,643,416; hereafter “Daniels”). Claims 7-10 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Daniels in view of Gilman et al. (U.S. Patent No. 6,208,770; hereafter “Gilman”). Claims 11 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Daniels in view of Gilman and “Inside Adobe Photoshop 5”. Claims 14 and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Daniels in view of Parulski (U.S. Patent No. 5,301,244). Claim 23 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Daniels in view of Parulski and Morikawa (U.S. Patent No. 5,550,955). Claims 16-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Daniels in view of Parulski and Gilman. Claim 21 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Daniels in view of Parulski, Gilman and “Inside Adobe Photoshop 5”. Claim 22 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Daniels in view of Gilman. Applicant respectfully traverses the prior art rejections.

By this Amendment, Applicant has amended independent claim 1 to recite:

a monitor for displaying a main display area, a first sub display area, and a second sub display area simultaneously, and said main display area displaying an image as entered through said image input device, and a crop boundary on said entered image to designate a cropping area of said entered image, wherein image data of

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Patent Application No. 09/933,758

said cropping area is used for producing said output image, said first sub display area displaying a template image of a template that shows a layout for said output image, and said second sub display area displaying a thumbnail image of said entered image.

Independent claims 14, 22, 23 and 24 have also been amended to recite similar features.¹

Applicant respectfully submits that the cited references, alone or in combination do not teach or suggest these features of the amended claims.

Daniels discloses method and system for determining necessary resolution for a particular zoom and/or crop operation performed on an image based on empirically derived image quality data. An acceptability value (percentage) is specified for the image, where the acceptability value relates to the empirically derived image quality as perceived by a human viewer. For selected input and output devices, an image resolution is then generated from a combination of the particular zoom and crop and the specified acceptability value, where the image resolution is a minimally acceptable resolution, to produce the desired zoom and crop. If the desired zoom and crop will not produce the minimally acceptable resolution, a warning is provided to the user. In response to the warning, the user may adjust the zoom and crop amount, increase the scan resolution or modify the output medium. Nowhere does Daniels teach or suggest simultaneously displaying the claimed main display area, first sub display area, and second sub display area.

Gilman teaches that the thumbnail images and the template images are displayed in two separate screens, i.e., in display areas on different screens (see Figs. 5 and 6). Moreover, a crop screen is displayed separately, i.e., without other display areas (see column 5, lines 37-40).

¹ Support for the claim amendments can be found, for example, at page 17, line 23 - page 19, line 14 and Fig. 6 of the present application.

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Patent Application No. 09/933,758

Thus, Applicant respectfully submits that Gilman fails to teach or suggest simultaneously displaying the claimed main display area, first sub display area, and second sub display area.

Similarly, Applicant respectfully submits that Parulski, Morikawa and “Inside Adobe Photoshop 5” fail to teach or suggest these features of the claimed invention which are missing from Daniels and Gilman.

Accordingly, Applicant respectfully submits that independent claims 1; 14 and 22-24, as well as dependent claims 3-13 and 15-21, should be allowable because the cited references, alone or in combination, do not teach or suggest all of the features of the claims.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Christopher R. Lipp
Registration No. 41,157

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: April 12, 2005

Attorney Docket No.: Q65873